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10/082,904	02/25/2002	Michael Milgramm		2727

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Edward Etkin, Esq.
Law Office of Edward Etkin, Esq., PC
228 West End Avenue
Suite A
Brooklyn, NY 11235

EXAMINER

MCKAY, KERRY A

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/082,904

Applicant(s)

MILGRAMM ET AL.

Examiner

Kerry McKay

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 12 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is a final action in response to communications filed March 21, 2006. Claims 1-20 were originally presented. Claims 1, 3-7, 12, 14-16, and 20 are currently amended and entered. Claims 1-20 are pending in this action.

Response to Arguments

2. Applicant's arguments, see page 3, filed March 21, 2006, with respect to the objection of the abstract have been fully considered and are persuasive. The objection of the abstract has been withdrawn.

3. Examiner disagrees with Applicant's claim that changing the term "employee" to "occupant" clarifies the different roles. While Examiner agrees that employee of a company occupying a building is different from an employee of the building, Examiner believes "building occupant" to be too broad to differentiate groups. The term "occupant" may also encompass security personnel and visitors while they are within, and therefore occupy, the building.

4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

5. Claim 12 is objected to because of the following informalities: Applicant references "said appointment" in line 3 of the claim". Applicant previously disclosed multiple appointments, not just one. Examiner believes this to be a typographical error and that Applicant intended "said appointments". Appropriate correction is required.

6. Claim 20 objected to because of the following informalities:

Applicant claims a "... server configured to have an access ..." in line 2 of the claim. Examiner believes it was Applicant's intent to claim a "server configured to have access".

Applicant omitted a semi colon on page 7, line 1, following "occupant". This semi-colon was present in the original claims, and no indication of its deletion is shown. Examiner treats this as a typographical error, and will interpret the database and biometric verification server as separate limitations.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claims 1-20 use the term "building occupant" which has not been defined in the specification and therefore lacks antecedent basis. It is further unclear whether building occupant is a role that encompasses security personnel and visitors, or whether it is an exclusive and distinct group, for the reasons given above.

9. Claim 20 recites the limitation "said biometric server" in page 7, line 7. There is insufficient antecedent basis for this limitation in the claim. Examiner notes that Applicant discusses a biometric verification server.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1, 4, 8, 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoyos et al., U.S. Patent Application Publication 2002/0063154 A1. Examiner notes that corresponding prior art terms are located beside the claim language in bracketed form.

11. Regarding claim 1, Hoyos et al. disclose a building security system comprising:

a database (figures 1-11, [0008]);

a processor (page 3, [0042]);

a dedicated visitor interface means interfacing a building visitor with said database and said processor (figure 13, [0048]-[0049], [0058]-[0059], figure 2, where interfaces may be dedicated to a particular group, such as visitor);

a dedicated occupant interface means interfacing a building employee with said database and said processor figure 13, [0048]-[0049], [0058]-[0059], figure 2, where interfaces may be dedicated to a particular group, such as occupant); and

a dedicated security interface means interfacing a security employee with said database and said processor (figure 13, [0048]-[0049], [0058]-[0059], figure 2, where interfaces may be dedicated to a particular group, such as security).

12. As per claim 4, the system Hoyos et al. teaches the system of claim 1, wherein said occupant interface further comprises a biometric verification means, said biometric verification means being configured to obtain and verify biometric data of said building occupant (figure 13, [0048]-[0049]).

13. As per claim 8, the system of Hoyos et al. discloses the system of claim 1, further comprising a monitoring means, the monitoring means being configured to monitor the building visitor ([0036], where "visitor" is an employee type according to figures 5 and 6 and [0064-0065]).

14. Regarding claim 10, the system of Hoyos et al. describes the system of claim 1. The system of Hoyos et al. further teaches the security interfaces means having a reporting means, said reporting means being configured to generate security reports with respect to the building visitor (figure 15, table 1, and [0088]–[0092]).

15. As per claim 11, the system Hoyos et al. teaches the system of claim 1, wherein said security interface means further comprises a biometric verification means, said biometric verification means being configured to obtain and verify biometric data of said security employee (figure 13, [0048]–[0049]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Avery, IV et al. (hereinafter “Avery et al.”), US Patent 6,976,269 B1.

17. Regarding claim 20, Avery et al. teach a building security system comprising:

a building web server configured to have access to at least one visitor's computer terminal over the Internet (column 4, lines 52-62);

a database (ESS) configured to store biometric information of building visitors and occupants (column 6, lines 26-36, column 7, lines 6-19);

a biometric verification server (column 5, lines 45-48);

a plurality of user computer terminals (remote computer terminals) connected to the Internet through said building web server and connected to said database and said biometric verification server by a secured link (figure 2, item 225, column 4, lines 52-62, claim 9, where the serial cables are connected only between particular devices and not accessible to any other and therefore secure, or under a different interpretation, it would have been obvious to one of ordinary skill in the art at the time of invention to secure the link with encryption to protect sensitive user information, for example, with SSL);

at least one biometric scanning device connected to said database and said biometric verification server, wherein said biometric scanning device is associated with at least one access to said building, and wherein said biometric scanning device, in conjunction with said biometric server, validates biometric information of building visitors and occupants (figure 2, items 215, 270, 290, column 5, lines 45-48, column 6, lines 26-36, column 7, lines 6-19).

18. Claims 6, 7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoyos et al., U.S. Patent Application Publication 2002/0063154 A1, in view of Avery, IV et al. (hereinafter "Avery et al."), US Patent 6,976,269 B1.

19. As per claim 6, the system of Hoyos et al. teaches the system of claim 1. The system of Hoyos et al. does not teach building occupants accessing the database.

Avery et al. teach a building security system in which occupants (co-located members) have access to segments of the database (column 8, lines 7-16). Avery et al. further provide the motivation that denying access control to occupants poses a security risk because it allows security officers to have too much control regarding visitor access to occupant sites in the facility, and it is therefore desirable to allow occupants to monitor and control access to the security system (column 1, line 37 – column 2, line 1). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the system of Hoyos et al. to allow occupants to access segments of the database as described in the system of Avery et al. so that occupants may monitor and control access.

20. As per claim 7, the method of Hoyos et al. and Avery et al. teaches the system of claim 6, wherein said occupant interface further comprises an occupant switching means, said occupant switching means being configured to allow said particular building occupant to access a plurality of said database segments (column 8, lines 11-15, where segments regarding visitors are available to co-located members, not just the person who scheduled the appointment).

21. As per claim 9, the system of Hoyos et al. teaches the system of claim 1. The system of Hoyos does not teach the security interface means further comprising an access pass generator generating an access pass for said building visitor.

Avery et al. teach a security interface comprising access pass (badge) generating means (figure 2, item 230, column 6, lines 53-64). It is well known in the art for visitors to wear badges for identification. It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the system of Hoyos et al. to include the access pass generating means of Avery et al. for visitor identification.

22. Claims 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Avery, IV et al. (hereinafter "Avery et al."), US Patent 6,976,269 B1, in view of Yonemitsu, US Patent 6,856,962 B2.

23. Regarding claim 12, Avery et al. teach a method of providing a secured access to an office building comprising:
electronic scheduling of appointments (column 4, lines 58-62); and controlling said electronic scheduling of said appointment (column 4, lines 58-62).
monitoring building visitors at any given time using a dedicated security interface (column 5, line 65 – column 6, line 13, column 6, line 65 – column 7, line 1). Avery et al. do not teach appointment scheduling on a visitor interface or analyzing scheduling on an occupant interface.

Yonemitsu teaches a schedule managements system where a visitor (client 102-1) requests an appointment with an occupant (client 102-2) and the occupant analyzing the scheduling on an occupant interface (figures 5 and 10, column 4, lines 7-46, where the request is available only to a person scheduling an appointment and a person's schedule is only available to that person, making them dedicated). Yonemitsu further teaches that it is known that schedules are managed on a server/client system, and that a visitor (person A) may register a schedule of an occupant (person B) (column 1, lines 10-15). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the method of Avery to include the step of a visitor requesting an appointment because it is a known and conventional practice.

24. As per claim 13, the method of Avery et al. and Yonemitsu teaches the method of claim 12, wherein said step of controlling analyzing said electronic scheduling further comprises confirming said scheduled appointments (Yonemitsu, column 4, lines 37-39).

25. As per claim 15, the method of Avery et al. and Yonemitsu teaches the method of claim 12, wherein said step of controlling and analyzing said electronic scheduling further comprises managing a building occupant's schedule (Yonemitsu, column 4, lines 25-46).

26. As per claim 16, the method of Avery et al. and Yonemitsu teaches the method of claim 12, wherein said step of controlling and analyzing said electronic scheduling

further comprises interfacing a building occupant with at least one database (data schedule storage) segment (Yonemitsu, column 2, lines 46-50, column 4, lines 25-46).

27. As per claim 17, the method of Avery et al. and Yonemitsu teaches the method of claim 12, wherein said step of monitoring building visitors further comprises generating an access pass (badge) for at least one of said building visitors (Avery et al., column 6, lines 53-65).

28. As per claim 18, the method of Avery et al. and Yonemitsu teaches the method of claim 12, wherein said step of monitoring building visitors further comprises generating a security report with respect to at least one of said building visitors (Avery et al., figure 4, column 6, lines column 8, lines 7-30).

29. Regarding claim 14, the method of Avery et al. and Yonemitsu teaches the method of claim 12. The method of Avery et al. and Yonemitsu further teaches operations which verify a user ID and therefore, the user (column 5, lines 7-9, column 4, lines 25-46). In such a system, it is common to have a secret accompanying the ID which identifies the user, such as a password or biometric data, rather than just an ID which can be easily forged. Avery et al. teach a code (user ID) which, in conjunction with biometric data, identifies a person. It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to use the biometric verification of

Avery et al. in conjunction with the ID of Yonemitsu to identify the occupant when accessing the scheduling system.

30. As per claim 19, the method of Avery et al. and Yonemitsu teaches the method of claim 12. The method of Avery et al. and Yonemitsu further teaches operations which verify a user ID and therefore, the user (column 5, lines 7-9, column 4, lines 25-46, where it is obvious that certain security operations will require proper authorization). In such a system, it is common to have a secret accompanying the ID which identifies the user, such as a password or biometric data, rather than just an ID which can be easily forged. Avery et al. teach a code (user ID) which, in conjunction with biometric data, identifies a person. It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to use the biometric verification of Avery et al. in conjunction with the ID of Yonemitsu to identify an authorized user of the security system.

31. Claims 2, 3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoyos et al., U.S. Patent Application Publication 2002/0063154 A1, in view of Yonemitsu, US Patent 6,856,962 B2.

32. Regarding claim 2, the system of Hoyos et al. teaches the system of claim 1. The system of Hoyos et al. does not teach a scheduling means.

Yonemitsu teaches a visitor interface scheduling means, said scheduling means being configured to schedule an appointment for said visitor (figures 5 and 10, column 4, lines 7-24, where the request is available only to a person scheduling an appointment, making it dedicated). Yonemitsu further teaches that it is known that schedules are managed on a server/client system, and that a visitor (person A) may register a schedule of an occupant (person B) (column 1, lines 10-15). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the system of Hoyos to include the step of a visitor requesting an appointment because it is a known and conventional practice.

33. As per claim 3, the system of Hoyos et al. and Yonemitsu teaches the system of claim 2, wherein said occupant interface further comprises an appointment confirmation means, said confirmation means being configured to confirm said scheduled appointment (Yonemitsu, column 4, lines 25-47).

34. As per claim 5, the system of Hoyos et al. teaches the system of claim 1. The system of Hoyos does not teach schedule managing means.

Yonemitsu teaches an occupant interface including a schedule managing means (figures 4 and 5, column 4, lines 25-46). Yonemitsu further teaches that it is known that a visitor (person A) may register a schedule of an occupant (person B), and the occupant may approve or reject the request (column 1, lines 10-26). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify

the system of Hoyos to include means for a visitor to request and an occupant manage an appointment because it is a known and conventional practice.

Conclusion

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

36. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kerry McKay whose telephone number is (571) 272-2651. The examiner can normally be reached on Monday-Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KM
05/19/06


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100